

COMMISSION MEETING MINUTES
September 28, 2004

The Board of Davis County Commissioners met in the Commission Chambers of the Davis County Courthouse, Farmington, Utah on September 28, 2004. Members present were Chairman Dannie R. McConkie, Commissioner Carol R. Page, Commissioner Michael J. Cragun, Clerk/Auditor Steve S. Rawlings, Chief Deputy Civil County Attorney Gerald E. Hess, and Commission Office Manager Linda May.

Agreement
#2004-049B
TYG Invest.
LLC for
Purchase of Lot
3 - Davis
County
Conference
Center
Subdivision

Kent Sulser, Davis County Community and Economic Development, presented the option agreement #2004-049B with TYG Investments LLC. It is for sale of Lot #3 – Davis County Conference Center Subdivision. It is noted there is .157 acre of ground that has been parceled off due to the location of ingress and egress road on the north end of lot #3. A perpetual easement has been identified along with a reciprocal access agreement. The restaurant developers have own ownership but will not be allowed to develop or use the property at all due to the easement. The selling price for the lot is \$1,233,651.00 of which \$20,000.00 is currently on deposit. The closing would be on October 1, 2004. Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#1997-189A
Extending
Bonds Maturity
for Davis
County
Housing
Authority's
Multifamily
Housing

Jerry Hess, Chief Deputy Davis County Attorney, presented an agreement #1997-189A approving the extension of maturity of the Davis County Housing Authority's multifamily housing revenue refunding bonds series 1997A (Fox Creek Apartments Project) for purposes of Section 147(F) of the Internal Revenue Code of 1986, as amended. The extension date will be until August 15, 2039. Chapman and Cutler LLP, Chicago, Illinois is the firm representing the transaction. Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2004-338 for
a Regional
Mutual Aid
Agreement for
Six Counties

Brian Law, Davis County Emergency Services Coordinator, presented a regional mutual aid agreement #2004-338 between Davis, Weber, Box Elder, Morgan, Cache and Rich counties and cities within each county. The agreement outlines response within the region to assist other jurisdictions as may be necessary in an emergency or disaster. Weber County has signed and Brian will take the document to the Davis County Council of Governments for signature. It will take a period of time to obtain all the signatures. There are seven regions in Utah. Our region is taking a lead in this effort. Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Emergency
Plan #2004-339
for Hazardous
Material

Brian Law presented the Davis County Hazardous Material Emergency Plan #2004-339. The plan has been developed by Davis County Local Emergency Planning Committee which Brian is Chair. The Davis County Attorney's Office has reviewed it and finds it legally appropriate and recommends it for action. This plan is separate from the EOC manual. Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2004-340 for
Install Box
Culvert in
Clinton, Utah

Thomas Smith, Davis County Public Works Director, presented the following documents:

Agreement #2004-340 with Workman Construction to install a 8' x 6' pre-cast box culvert at 2000 North 4500 West in Clinton, Utah. It is an account payable in the amount of \$36,040.00. Commissioner

Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement #2004-341 for Installation of a Pre-Cast Bridge in Farmington, Utah

Agreement #2004-341 with Workman Construction to install a pre-cast bridge at 1350 West Glover Lane in Farmington, Utah. It is an account payable in the amount of \$44, 825.00. Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Change Order 2004-283A for Installation of a Concrete Manhole

A change order 2004-283A for Workman Construction for the 2300 North 1000 West project in Clinton. The company will furnish and install a 6’ x 6’ concrete manhole. It is an account payable in the amount of \$3,000.00. Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Right of Way #2004-342 from Steve Dillree at Glover Lane

A right-of-way and easement #2004-342 from Steve Dillree for a county bridge on Glover Lane in Farmington, Utah. Commissioner Page made a motion to accept and authorize the Chairman to sign. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Grant from Green Foundation Inc. for the Central Branch Library

Jerry Myers, Chief Deputy Davis County Library, presented a grant from the Val A. Green and Edith D. Green Foundation Inc. It is in the amount of \$4,000.00 for the purchase of books for the adult collection at the Central Branch Library. Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor. A letter will be sent to the Foundation thanking them for their generosity.

Budget Changes for Public Works, Health, and Library

The following budget changes were presented for the following:

Public Works to receive revenue from Alan Whittle for labor and material expended on the reconstruction of the bank at Kays Creek. This was an emergency situation due to flooding. The request is to increase the 24-4254-610 line item by \$4,833.21.

Health Department to receive \$8,250.00 from the Davis County School District for the school nursing program and early intervention. The request is to increase the 15-4314-130 and 15-4314-110 line items.

Library to receive gift endowments in the amount of \$15,000.00 and a State of Utah grant for \$14,800.00. The request is to increase the 23-4580-612 and the 23-4580-308 line items.

Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Personnel and Information Systems Policy Updates

Steve Baker, Davis County Personnel Director, and Mark Langston, Davis County Information Systems Director, presented and explained policy updates. The updates included the following:

Davis County Code of Conduct	Retirement
Definitions	Sick Leave
Computer Usage	Code of Conduct for Volunteers (new)
Employee Privileges	Transportation
Miscellaneous Leaves	Public Meeting Room Policy (new)

Acquisition of Information Technology Products
Information Technology Usage
Internet Services/Advertising
Information Services Plans

Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The policies will be distributed to all departments.

Agreement
#2004-344
Interlocal Co-
operation
Agreement for
County &
Cities for South
Davis Metro
Fire Agency

Gary McKean, Deputy Davis County Attorney’s Office, presented a resolution #2004-344 approving and authorizing the execution of an interlocal co-operation agreement between Davis County, Centerville City, West Bountiful City, Woods Cross City, and Bountiful City creating the South Davis Metro Fire Agency, consolidating emergency protection services and medical services and providing rules of governance to provide fire and emergency medical services for a portion of the unincorporated area of Davis County and the participating cities. It is intended that the South Davis Fire District will be dissolved at an appropriate time in accordance with the provisions of the Interlocal Agreement dated October 2, 1995. Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Board
Appointments
for South Davis
Metro Fire
Agency

Two names were presented for appointments to the South Davis Metro Fire Agency Board. The names are Dannie R. McConkie and as alternate Carol R. Page. Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion.

Resolution
#2004-345 for
Davis County
to Collect the
Davis County
Transient
Room Tax

A resolution #2004-345 authorizing the collection by Davis County of the Davis County Transient Room Tax was presented. Section 59-12-302(1)(b), *Utah Code*, provides that each county may collect the transient room tax imposed by the county and need not transmit the tax to the Utah State Tax Commission or contract with the Utah State Tax Commission to collect the transient room tax. Mark Altom, Davis County Treasurer, assisted with the preparation of a letter to be sent to Jim Clayton, Utah State Tax Commission, Financial Services Department, to inform the Tax Commission, of Davis County’s intent to collect the transient room tax imposed by Davis County. Mark stated that the transition will be seamless and will net approximately \$6,000 - \$7,000 savings to Davis County. Commissioner Cragun made a motion to approve the resolution and for the authorization for the Chairman to sign the letter. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Ordinance #9-
2004
Amending
Transient
Room Tax
Ordinance of
Davis County

An ordinance #9-2004 amending the transient room tax ordinance of Davis County and providing for the imposition and collection of a transient room tax, access to records, remittance of the tax, penalties and interest, and administrative review was presented. Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Introduction of
new Davis
Area
Convention and
Visitors Bureau
President

Commissioner McConkie introduced the new Davis Area Convention and Visitors Bureau President, Barbara Riddle. Barbara is a resident of Fruit Heights and brings a great deal of experience in the tourism industry to the position. Barbara introduced Susan Liston, Director of Sales and Marketing, who also brings a wealth of experience. They are excited to sell the concept of how valuable a CVB can be to a community. With the completion and opening of the Davis Conference Center it will be an asset to have a finished product to sell. It’s not just the new Conference Center and Layton that they are going to be trying to sell. They will be focusing on all of Davis County. Barbara stated, “ We’ve got great facilities; depending on what your organization needs, we have something to meet it. An example of a recent opportunity to showcase Davis County was with five travel writers and other distinguished guests as part of the Utah Travel Regions Media Familiarization Tour.”

Board
Appointment to
the Golden
Spike Empire
Board of
Trustees

Commissioner McConkie made a recommendation for Barbara Riddle to be appointed to the Golden Spike Empire Board of Trustees. Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye. Barbara will complete the term of Carolyn Daniels. The term will end December 31, 2006.

Press Release
Regarding the
Laundry and
Kitchen
Facilities at the
Davis County
Jail

Kevin McLeod, Chief Deputy Davis County Sheriff’s Office, presented a press release. The information explains the need for laundry and kitchen facilities at the Davis County Jail. The jail currently prepares about 1,800 meals per day in a kitchen built in 1991. Thirteen years of heavy use of the kitchen equipment results in frequent equipment failures and expensive repair work. As a result, the equipment also poses a health and safety risk to jail staff preparing the meals. The Jail processes approximately one ton of laundry (dry weight) per day. Jail staff conquers this mountain of laundry in a 550 square foot laundry room with only two institutional washers and dryers. When there is a breakdown in equipment or need for washer and dryer repair, the situation becomes even more critical. Existing equipment is costly to fix. The kitchen and laundry facility are two of the needs which would be improved with the passing of a Davis County \$24,800,000 General Obligation Bond for a jail expansion.

Amendment
#1997-9A
Settlement for
Lawsuit of
Prows,
Becknell &
Alles, LLC vs
Davis County

Commissioner Page read a letter signed by Mayor Jan Galbraith, Co-Chair, Safe Home School Community Executive Committee, Superintendent Bryan Bowles, Davis School District. The Davis County Safe Home School Community Executive Committee strongly supports the Jail Expansion Bond effort!

Jerry Hess, Chief Deputy Davis County Attorney Office, presented a settlement agreement #1997-9A in the matter of Prows, Becknell & Alles, LLC vs Davis County. The law office of Christensen & Jensen has prepared the Settlement and Mutual Release document. The document is been signed by Dick Prows and John Bogart. Upon execution of the Settlement Agreement by each of the parties hereto, PBA and the County shall execute and file a stipulated motion to dismiss the lawsuit pending in the Utah Second District Court, Case Number 020700234, and all claims and counterclaims. Upon the execution of the agreement by both parties PBA will pay to the county the total sum of \$325,000.00 by means of a check payable to “Davis County.” Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Property Tax
Register
Approved

Commissioner Cragun made a motion to convene as the Board of Equalization. Commissioner Page seconded the motion. All voted aye.

Commissioner Page made a motion to approve the property tax register as presented. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Commission
Meeting
Minutes
Approved

Commissioner Cragun made a motion to reconvene the regularly scheduled commission meeting. Commissioner Page seconded the motion. All voted aye.

Commission meeting minutes of September 14 were presented. Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Personnel
Register
Approved

A personnel register was presented. Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye.

Check
Registers
Approved

Check registers were prepared and presented by the office of the Davis County Clerk/Auditor. Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The documents are on file in the office of the Davis County Clerk/Auditor.

Grant
Application
#2004-346 UT
Comm. On
Crim. &
Juvenile Justice
for Funds

Dave Boucher, Davis County Sheriff’s Office, presented a grant application #2004-346 with the State of Utah Commission on Criminal & Juvenile Justice. The request is for \$7,490.20 for the purchase of tazer guns. Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2004-347
Swank Motion
Pictures for
Inmate
Viewing of
Videos

An agreement #2004-347 with the Swank Motion Pictures, Inc. for the Davis County Sheriff’s Office was presented. It is a contract licensing for inmate viewing of videos. It is an account payable in the amount of \$1,235.00. Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2004-348
Fruit Heights
City for Police
Services by
Sheriff’s Office

An agreement #2004-348 with Fruit Heights City was presented. It is for the Davis County Sheriff’s Office to provide police services for the city. It is an account receivable in the amount of \$105,968.46. Commissioner Cragun made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2004-349
Capital Electric
Inc for
Electrical
Renovation at
Memorial
Courthouse

An agreement #2004-349 with Capital Electric, Inc. was presented. They will do the electrical renovation of the Davis County Memorial Courthouse. It is an account payable in the amount of \$297,520.00. Commissioner Page made a motion to approve and for the Chairman to sign the Notice to Proceed. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Amendment
#2004-155A
UT Div. Of
Substance
Abuse &
Mental Hlth for
Funding

An amendment #2004-155A with the State of Utah, Division of Substance Abuse & Mental Health was presented. It is to provide additional funding in the amount of \$116,667.00. The funds are for substance abuse treatment to be passed through to Davis Behavioral Health. Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2004-350 UT
Indigent
Defense Trust
Funds Bd. For
Expense in the
Case of
Richard
MacGuire

An agreement #2004-350 with the Utah Indigent Defense Trust Funds Board and Richard P. Mauro was presented. With the signing of the agreement the County acknowledges and approves the Utah Indigent Defense Board paying the fees and expenses on behalf of the County in the case of Richard Martin MacGuire. Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Agreement
#2004-351
Dimension
Development
LLC for
Internet
Connection

An agreement #2004-351 with Dimension Development, LLC was presented. It is to enable the company to receive recording information. It is an account receivable in the amount of \$15.00 per month plus \$0.10 per transaction. Commissioner Page made a motion to approve. Commissioner Cragun seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Roster of
Agreements
#2004-352 for
Fair Park
Contracts

A roster of agreements #2004-352 that have been negotiated by the Fair Park Director was presented. It is for the use of facilities at the Fair Park as follows:

Maria Rameriz	September 4, 2004	Bldg. 1
Jean Taylor	Jan. 4, 11, 18 & 25, 2005	Bldg. 2
Jean Taylor	Feb 1, 8, 15 & 22, 2005	Bldg. 2
Jean Taylor	Mar 1, 8, 15, 22 & 29, 2005	Bldg. 2
Jean Taylor	April 5, 12, 19 &26, 2005	Bldg. 2
Jean Taylor	May 3, 17, 24 & 31, 2005	Bldg. 2
Wasatch Front Chapter of Water Fowl	Sept 18, 2004	Bldg. 2
Emilia Casas	Oct. 9, 2004	Bldg. 3
Utah Team Penning Association	Feb. 18-19, 2005	Legacy Center
Utah Team Penning Association	March 25-26, 2005	Legacy Center
Utah Team Penning Association	April 8-9, 2005	Legacy Center
Utah Team Penning Association	May 20-21, 2005	Legacy Center
Utah Team Penning Association	June 17-18, 2005	Legacy Center
Jean Taylor	Sept 7, 14, 21 & 28, 2004	Bldg. 2
Jean Taylor	Oct. 5, 12, 19 & 27, 2004	Bldg. 2
Jean Taylor	Nov. 2, 9, 23 & 30, 2004	Bldg. 2
Jean Taylor	Dec. 7, 14, 21 & 28, 2004	Bldg. 2
Golden Spike Dog Obedience	July 15-17, 2005	Legacy Center
Double D High School Rodeo	April 29-30, 2005	Legacy Center
Sport Court International	Aug. 6, 2004	East Outdoor Arena

Commissioner Cragun made a motion to approve. Commissioner Page seconded the motion. All voted aye. The document is on file in the office of the Davis County Clerk/Auditor.

Ut State Fair
Award for
Davis County
Display

Davis County Community and Economic Development won an award for “Most Attractive” booth at the Utah State Fair. The display was featuring the weather towers of the Davis Conference Center. A check in the amount of \$150.00 was sent to Davis County.

COG Meeting

Davis County Council of Governments will be held September 29 at Bountiful Ridge Golf Course Clubhouse at 5:00 p.m.

Channel 17
Ribbon Cutting

Commissioner Page reminded everyone about the ribbon cutting for Channel 17. The event will be held at the DATC on October 1 at 10:30 a.m.

Satellite Sites
for Registration
Oct 22 & 25

Steve Rawlings, Davis County Clerk/Auditor, reminded everyone that the November 2 election is fast approaching. “No Excuse” absentee voting will be taking place in his office. October 25 is the last day to register to vote. Satellite sites will be set up for registration October 22 and 25. In 1992 the voter turnout was 85%. Steve is hoping to exceed that number for the 2004 election.

Steve Rawlings also distributed information regarding the Maricopa County Jail. It is information taken from an internet search site.

Meeting adjourned.